

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11CV203

PATRICIA AVERETTE, )  
                        )  
Plaintiff,           )  
                        )  
vs.                   )                           ORDER  
                        )  
DIASORIN, INC.,     )  
                        )  
Defendant.           )  
                        )

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This matter is before the court upon Plaintiff's Motion for Reconsideration of the Court's Order of March 14, 2012 granting in part and denying in part Plaintiff's Motion to Amend her Complaint. In that Order, the Court allowed Plaintiff to amend her Complaint to add a claim for violation of the FMLA, but denied her motion to add claims under Title VII, OSHA retaliation, and retaliatory discharge in violation of North Carolina's public policy. In her Motion for Reconsideration, Plaintiff requests that the Court allow her to add her claim for retaliatory discharge in violation of North Carolina public policy. As the Court refuses to defy clear Fourth Circuit precedent, the Court will deny Plaintiff's motion. Moreover, it appears from Plaintiff's memorandum in support of her motion that she may be under the impression that she still has a Title VII claim. In order to clarify the Court's previous rulings, Plaintiff is *not* permitted to amend her Complaint to add a Title VII discrimination *or* retaliation claim.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration is hereby DENIED.

Signed: April 17, 2012



Graham C. Mullen  
United States District Judge

